



Docket No. 5212

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): John S. HENDRICKS et al.

Examiner: C. Grant

Serial No.: 09/124,043

Art Unit: 2611

Filed: July 29, 1998

FOR: **METHOD AND APPARATUS FOR GATHERING PROGRAMS  
WATCHED DATA**

Commissioner for Patents  
Washington, DC 20231

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JAN 23 2003

**RESPONSE TO RESTRICTION REQUIREMENT**

Technology Center 2600

Sir:

In response to the September 24, 2002 Restriction Requirement, Applicants hereby elect Group I, claims 1-31 and 72-80, drawn to an apparatus that gathers viewing habits or programs watched data, for examination. The election is made with traverse.

Applicants respectfully submit that the subject matter of all claims 1-136 is sufficiently related that a thorough search for the subject matter of any one group of claims would encompass a search for the subject matter of the remaining claims. Thus, Applicants submit that the search and examination of the entire application could be made without serious burden. See M.P.E.P. §803, which states that "if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits" (emphasis added). Applicants submit that this policy should apply in the above-identified application in order to prevent unnecessary delay and expense to the Applicants and duplicative examination by the Patent Office.

The Commissioner is authorized to charge any fees to deposit account 04-1425.

Date: October 24, 2002

Respectfully submitted,

John K. Harrop

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